

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Edgar CARDONA-Angel,

Defendant

) Magistrate Docket No.

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Magistrate Docket No.

'08 MJ 1496

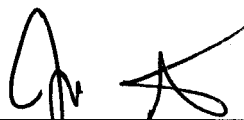
COMPLAINT FOR VIOLATION OF:

Title 8, U.S.C., Section 1326  
Deported Alien Found in the  
United States

The undersigned complainant, being duly sworn, states:

On or about **May 12, 2008** within the Southern District of California, defendant, **Edgar CARDONA-Angel**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

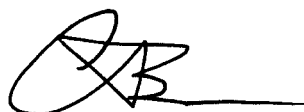


SIGNATURE OF COMPLAINANT

James Trombley

Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **14th DAY OF MAY, 2008**



Cathy A. Bencivengo

UNITED STATES MAGISTRATE JUDGE

**CONTINUATION OF COMPLAINT:**  
**Edgar CARDONA-Angel**

**PROBABLE CAUSE STATEMENT**

On May 12, 2008, Border Patrol Agents R. Plascencia and H. Tran responded to a report of a red Dodge Durango pulled over on Buckman Springs Road in Campo, California and several people exiting the vehicle. This area is approximately 12 miles east of the Tecate, California Port of Entry and 10 miles north of the United States/ Mexico International Boundary.

Agent Plascencia found the Dodge Durango parked on the side of the road and observed footprints that appeared to exit the vehicle. Agent Plascencia followed the footprints westbound and met with Agent Tran who was also following the footprints. About an hour later, they encountered ten individuals, including one later identified as the defendant **Edgar CARDONA-Angel**, attempting to hide. The agents identified themselves as Border Patrol Agents and questioned the ten individuals as to their citizenship. All ten admitted to being citizens of Mexico without any immigration documents allowing them to be or remain in the United States legally. At approximately 6:00 p.m., all ten were arrested and transported to the Campo Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **February 7, 2008** through **San Ysidro, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.